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Attorneys for Defendant Deutsche Bank Trust Company Americas

**UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK**

IN RE WORLD TRADE CENTER LOWER  
 MANHATTAN DISASTER SITE LITIGATION

: Case No.: 21 MC 103 (AKH)

JUAN CAIVINAGUA,

: Case No.: 07-cv-01574 (AKH)

Plaintiff,

: **NOTICE OF ADOPTION OF  
 ANSWER TO MASTER  
 COMPLAINT ON BEHALF OF  
 DEUTSCHE BANK TRUST  
 COMPANY AMERICAS**

- against -

A RUSSO WRECKING, *et al.*,

Defendants.

PLEASE TAKE NOTICE THAT defendant Deutsche Bank Trust Company Americas, in its own capacity and as incorrectly pleaded as Deutsche Bank Trust Company (“DB Trust Americas”), having its principal place of business at 60 Wall Street, New York, NY 10005, as and for its responses to the allegations set forth in plaintiff’s Complaint by Adoption (“Check-Off Complaint”) related to the Master Complaint filed in the above-referenced action, hereby adopts the Deutsche Bank Trust Company Americas Answer to the Master Complaint, dated August 2, 2007, which was filed in *In Re: World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

To the extent the allegations in plaintiff's Check-Off Complaint do not correspond to the allegations in the Master Complaint attached as Exhibit A to Case Management Order 4 in the 21 MC 102 consolidated docket, dated June 29, 2007 ("CMO 4"), or conform to the *pro-forma* check-off complaint attached as Exhibit B to CMO 4, DB Trust Americas denies any such non-conforming allegations.

WHEREFORE, DB Trust Americas demands judgment in its favor, dismissing the above-captioned action, together with costs and disbursements, and for such other relief as this Court deems just and equitable.

**DAY PITNEY LLP**  
Attorneys for Defendant  
Deutsche Bank Trust Company Americas

By: s/ Benjamin E. Haglund  
BENJAMIN E. HAGLUND  
A Member of the Firm

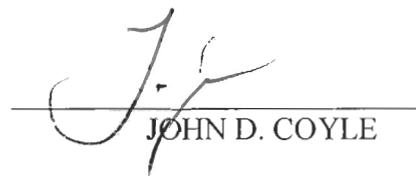
DATED: September 18, 2008

**CERTIFICATION OF SERVICE**

The undersigned certifies that on this date, the attached Notice of Adoption of Answer to Master Complaint was electronically served and filed with the United States District Court for the Southern District of New York via the Court's ECF system.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on: September 18, 2008



JOHN D. COYLE